

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

JUL 23 2001

DEclaration AND Power OF ATTORNEY

FOR PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED _____
Neue für das menE-Gen kodierende Nukleotidsequenzen

the specification of which (CHECK applicable BOX(ES))

A. is attached hereto.
BOX(ES) → B. was filed on April 16, 2001 as U.S. Application No. 09/834,722
→ C. was filed as PCT International Application No. PCT/ / on

and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Date first Laid-open or Published</u>	<u>Date Patented or Granted</u>	<u>Priority NOT Claimed</u>
100 46 624.9	Germany	20 September 2000			
101 12 106.7	Germany	14 March 2001			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

<u>Application No. (series code/serial no.)</u>	<u>Day/Month/Year Filed</u>	<u>Status</u>	<u>Priority NOT Claimed</u>
		pending, abandoned, patented	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, telephone number (202) 861-3000 (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 909 (see below label) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their Firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or an attorney of that Firm in writing to the contrary.

USE ONLY FOR
PILLSBURY WINTHROP



00909

(1) INVENTOR'S SIGNATURE:

Date: 05/18/2001

Name	Mike		FARWICK
	First	Middle Initial	Family Name
Residence	Bielefeld	GERMANY	GERMANY
	City	State/Foreign Country	Country of Citizenship
Mailing Address	Gustav-Adolf-Strasse 11, D-33615 Bielefeld, GERMANY		
(include Zip Code)			

(2) INVENTOR'S SIGNATURE:

Date: 05/18/2001

Name	Klaus		HUTHMACHER
	First	Middle Initial	Family Name
Residence	Gelnhausen	GERMANY	GERMANY
	City	State/Foreign Country	Country of Citizenship
Mailing Address	Lärchenweg 18, D-63584 Gelnhausen, GERMANY		
(include Zip Code)			

FOR ADDITIONAL INVENTORS see attached page.

See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. P280112

(M#)

DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

	Achim		MARX
	First	Middle Initial	Family Name
Residence	Bielefeld	GERMANY	GERMANY
Mailing Address (include Zip Code)	Altenbrede 4 B, D-33613 Bielefeld, GERMANY		

JUL 23 2001

135173

Date: 05/15/01

(4) INVENTOR'S SIGNATURE:

	Walter		PFEFFERLE
	First	Middle Initial	Family Name
Residence	Halle (Westf.)	GERMANY	GERMANY
Mailing Address (include Zip Code)	Jahnstrasse 33, D-33790 Halle (Westf.), GERMANY		

Date: 05/19/2001

(5) INVENTOR'S SIGNATURE:

			Date:
	First	Middle Initial	Family Name
Residence			
	City	State/Foreign Country	Country of Citizenship
Mailing Address (include Zip Code)			

(6) INVENTOR'S SIGNATURE:

			Date:
	First	Middle Initial	Family Name
Residence			
	City	State/Foreign Country	Country of Citizenship
Mailing Address (include Zip Code)			

(7) INVENTOR'S SIGNATURE:

			Date:
	First	Middle Initial	Family Name
Residence			
	City	State/Foreign Country	Country of Citizenship
Mailing Address (include Zip Code)			

(8) INVENTOR'S SIGNATURE:

			Date:
	First	Middle Initial	Family Name
Residence			
	City	State/Foreign Country	Country of Citizenship
Mailing Address (include Zip Code)			

(9) INVENTOR'S SIGNATURE:

			Date:
	First	Middle Initial	Family Name
Residence			
	City	State/Foreign Country	Country of Citizenship
Mailing Address (include Zip Code)			

Please return signed/recorded to:

Pillsbury Winthrop LLP
Intellectual Property Group
1-00 New York Avenue, NW
Ninth Floor
Washington, DC 20005-3918

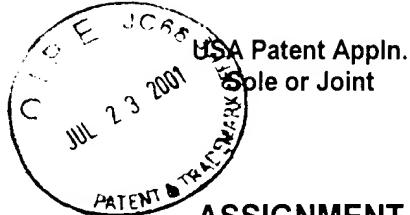
For Inventions made outside USA
executed with or after application

Atty Dkt P 280112 000551BT

M# Client E

187

Client Ref.



NONPROVISIONAL

**ASSIGNMENT
OF NONPROVISIONAL APPLICATION**

NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT NAME(S) OF INVENTOR(S)	(1) Mike FARWICK (3) Achim MARX (5)	(2) Klaus HUTHMACHER (4) Walter PFEFFERLE <input type="checkbox"/> x box if continued on page 2
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the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT Degussa AG, Benningsenplatz 1, DE-40474 Düsseldorf, GERMANY

NAME(S) OF
ASSIGNEE(S)
& ADDRESS(ES)

(hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof; and all resulting patents, known as

TITLE OF INVENTION Neue für das menE-Gen kodierende Nukleotidsequenzen

for which the undersigned executed an application for Letters Patents of the United States of America:

NOTE → → (A) even date herewith

line A, B and/or C) (C) in U.S. Appln. No. 09/834,722

filed April 16, 2001

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSIGNEE.

AND the undersigned hereby agree(s) to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

NOTE → → The undersigned hereby authorize(s) Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

RECORDATION OF THIS DOCUMENT.

1): Name:	<u>INVENTORS</u> Mike FARWICK Klaus HUTHMACHER Achim MARX Walter PFEFFERLE	<u>DATE SIGNED</u> 05/15/01 05/15/01 05/19/2001	<u>WITNESSES</u> Birgit Schaeferling Kerger Eschweiler Wolfgang Schaeferling Walter Pfefferle
2): Name:			
3): Name:			
4) Name:			
Name:			
5) Name:			
Name:			

RECORDATION FORM COVER SHEET
PATENT APPLICATIONS & PATENTS ONLY

TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS:

SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. NAME OF CONVEYING PARTY(IES) (ASSIGNOR(S)):

1. Mike FARWICK
3. Achim MARX
5.
7.

2. Klaus HUTHMACHER
4. Walter PFEFFERLE
6.
8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? YES NO

2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: Degussa AG

ADDRESS: Benningsenplatz 1, DE-40474 Düsseldorf, GERMANY

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? YES NO

3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

ASSIGNMENT OF WHOLE PART INTEREST
 ORIGINAL FACSIMILE/PHOTOCOPY
 CHANGE OF NAME VERIFIED TRANSLATION
 SECURITY MERGER OTHER:

EXEC. DATE: 1)&4) 5/14/01; 2) 5/18/01;
3) 5/15/01

EXECUTION DATE(S) ON THE DECLARATION IF FILED HEREWITH: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!) 1)&4) 5/14/01; 2) 5/18/01; 3) 5/15/01

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? YES NO

A. PAT. APP. NO.(S) series code/serial no	M#	1 st INVENTOR if not in item 1	B. PATENT NO(S)	M#	1 st INVENTOR if not in item 1
09/834,722	280112				

5. Name & Address of Party to Whom Correspondence
Concerning Document Should be Mailed:

6. NUMBER INVOLVED:
APPLNS 1 + PATS 0 = TOTAL 1

Pillsbury Winthrop LLP
Intellectual Property Group
1100 New York Avenue, NW
Ninth Floor
Washington, DC 20005-3918

7. AMOUNT OF FEE ENCLOSED: (Code 581)
ABOVE TOTAL x \$40 = \$40

5.ATTY DKT:

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE
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9.

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cover sheet, attachments and document
(do not file dup. Cover sheet)

2



Signature

Attorney: Michael A. Sanzo

Reg. No. 36912

Date: July 23, 2001

Atty/Sec: MAS/AMX

TEL: (202) 861-3020

FAX: (202) 822-0944

FILE WITH PTO RETURN RECEIPT (PAT-103A)